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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/240,893 01/29/99 TERRY

A ITC:9905

023669 WM01/0328
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EXAMINER

NGUYEN, D

ART UNIT

PAPER NUMBER

2643
DATE MAILED:

03/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/240,893

Applicant(s)

TERRY, ALEX

Examiner

Duc M Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-15, 17-22, 27, 30, 32-35, 37 and 38 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

5) ☐ Claim(s) ____ is/are allowed.

6) ☒ Claim(s) 1-15, 17-22, 27, 30, 32-35, 37 and 38 is/are rejected.

7) ☐ Claim(s) ____ is/are objected to.

8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. ____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.

18) ☐ Interview Summary (PTO-413) Paper No(s). ____.

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11, 14-15, 17-20, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering (5,483,445) in view of Crooks et al (5,943,656).

Consider claims 1, 5-11, 14-15, 17-20. Pickering teaches an apparatus for presenting and monitoring telecommunication transaction associated with a plurality of differing communication devices, comprising a billing server (financial institution computer 210); and a server (communication manager 215). The prescribed data distinguishes between a first and a second telecommunication transaction information associated with a first one of the plurality of differing communication devices, and a second one of the plurality of differing communication devices is inherently met due to the fact that the prescribed data must be unique so that the billing server distinguishes the difference from one record to the other in order to provide the user with the correct record. Furthermore, the examiner takes official notice that it was notoriously well known in the art of telephone billing that CDR data is produced automatically by the telephone switching system, such data may include telephone number of the calling party, the telephone number to

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which the call is being placed, various time points representing the progress of the call between origination and the disconnection (e.g., usage time). It would have been obvious to one skilled in the art at the time the invention was made to create a call detail record which includes the above mentioned information (e.g., a CDR having billable time, and billing identifier associated with the originator) in order to accurately generate telephone bills which are periodically sent to the subscribers.

Pickering does not teach that the above system utilized in the Internet environment.

Crooks teaches the use of data terminal (personal computer) connected to a web server (host system) in order to gain access to the host computer and download data/information from there (col. 4, line 42 to col. 5, line 12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Crooks into the teachings of Pickering in order to conveniently provide customer with in-home banking, paying bill without leaving the house.

Consider claims 2-3. Pickering teaches the plurality of communication devices comprise telephone, and set top receiver (cable box) (see figure 7).

Consider claim 4. Pickering teaches the plurality of communication devices comprise telephone, and set top receiver (cable box) (see figure 7).

Consider claim 27. Pickering teaches an apparatus for presenting and monitoring telecommunication transaction associated with a plurality of differing communication devices, comprising a billing server (financial institution computer 210); and a server (communication

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manager 215). The prescribed data distinguishes between a first and a second telecommunication transaction information associated with a first one of the plurality of differing communication devices, and a second one of the plurality of differing communication devices is inherently met due to the fact that the prescribed data must be unique so that the billing server distinguishes the difference from one record to the other in order to provide the user with the correct record.

Pickering does not teach that the above system utilized in the Internet environment.

Crooks teaches the use of data terminal (personal computer) connected to a web server (host system) in order to gain access to the host computer and download data/information from there (col. 4, line 42 to col. 5, line 12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Crooks into the teachings of Pickering in order to conveniently provide customer with in-home banking, paying bill without leaving the house.

3. Claims 12-13, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering (5,483,445) in view of Crooks et al (5,943,656) as applied to claims 1, 6-11, 14, 18-20 above, and further in view of Syeda-Mahmood (5,983,218).

Consider claims 12, 21-22. Pickering in view of Crooks does not teach that the database is accessed by an Open Database Connectivity (ODBC) compatible query.

Syeda-Mahmood teaches the use of Open Database Connectivity (ODBC) compatible query (column 1 line 10 to column 2 line 31).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Syeda-Mahmood into the teachings of Pickering in view of Crooks in order to enable multivendor database connectivity so that customer can access into different databases using the same computer equipment.

Consider claim 13. It would have been obvious to one of ordinary skill in the art that the prescribed data must be unique so that the billing server distinguishes the difference from one record to the other in order to provide the user with the correct record. Furthermore, the examiner takes official notice that it was notoriously well known in the art of telephone billing that CDR data is produced automatically by the telephone switching system, such data may include telephone number of the calling party, the telephone number to which the call is being placed, various time points representing the progress of the call between origination and the disconnection (e.g., usage time)

4. Claims 30, 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering (5,483,445) in view of Crooks et al (5,943,656) as applied to claim 27 above, and further in view of Flood (5,864,613).

Consider claim 30. Pickering in view of Crooks does not teach the step of providing the user with a customized event monitor, the event monitor alerting the user when telephone transactions meet a specified criteria.

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Flood teaches a long distance transaction event monitor, the event monitor comprising an interface (column 4 lines 8-18); query logic and event monitor (switch intelligence 110 which includes computer system 200; see the abstract; column 1 line 66 to column 2 line 8; column 2 line 60 to column 3 line 10; column 3 line 22 to column 4 line 6 line 5; column 7 line 66 to column 8 line 49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Flood into the teachings of Pickering in view of Crooks in order to effectively control the cost of telephone usage.

Consider claims 32-34. The examiner takes official notice that it was notoriously well known in the art of telecommunications to use Netscape or Internet Explorer for the purposes of retrieving WWW documents specified by Uniform Resource Locators (URLs) from a HyperText Transfer Protocol (HTTP) server. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Netscape or Internet Explorer as web browsers in order to view and possibly edit a file of data on screen similar to handling text in a word processing document.

Consider claim 35. Flood further illustrates in figures 5A-C that the event monitor (104 or computer system 200; see figures 1-2) automatically detects telephone transactions that meet the specified criteria (see steps 502-568).

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5. Claims 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering (5,483,445) in view of Crooks et al (5,943,656) and Flood (5,864,613) as applied to claims 27, 30 above, and further in view of Moller et al (5,805,686).

Consider claims 37-38. Pickering in view of Crooks and Flood do not teach that the alert messages comprise E-mail or fax alerts.

Moller teaches a telephone fraud detection system in which the alert messages comprise E-mail or fax alerts (column 4 lines 18-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Moller into the teachings of Pickering in view of Crooks and Flood in order to quickly inform customer of possible fraud events.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 308-7527.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

Application/Control Number: 09/240,893

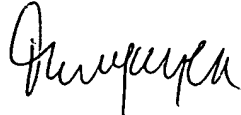
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(703) 308-6306 or (703) 308-6296

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

March 22, 2001


DUC NGUYEN
PRIMARY EXAMINER